

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION**

v.

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CAUSE NO.

NOTICE OF PRELIMINARY PRETRIAL CONFERENCE

(Judge Lee)

In accordance with Rule 16 of the Federal Rules of Civil Procedure, this cause is now set for a Pretrial Conference before Magistrate Judge Roger B. Cosbey to be held on the _____ day of _____, 200__ at _____ m., local time.¹

Within 20 days of receipt of this Notice, counsel shall indicate whether their clients are willing to consent to transfer this case to a Magistrate Judge for all purposes, including trial, by executing and submitting the consent form separately forwarded to the Clerk at *fwclerks@innd.uscourts.gov* or by depositing it in the U.S. mail.

At the conference counsel shall be prepared to address the following:

1. A proposed Discovery Plan under Fed. R. Civ. P. 26(f) shall be filed no later than 5 business days prior to the pretrial conference. Counsel are directed to the Court's website, *innd.uscourts.gov*, for a suitable form of report and discovery plan ("Report of the Parties Planning Meeting"). At the conference the Court will address those topics listed at Fed. R. Civ. P. 16(b) and (c)². Failure to timely file the report and proposed discovery plan may result in the

¹The following SHALL attend this conference in person:

- a. Counsel who live or have offices in Allen County;
- b. Parties who live or have offices in Allen County.

The following SHALL participate in the conference but MAY participate by telephone:

- a. Counsel who have offices outside Allen County;
- b. Parties who do not live or have offices in Allen County;

BUT TELEPHONE PARTICIPATION IS ALLOWED ONLY IF you have notified the clerk (260/423-3000) and given an appropriate telephone number, at least three (3) business days before the conference. Failure to notify the clerk will result in your not being allowed to participate by phone.

²Counsel are to deliver to their client, forthwith, a written estimate of the fees and expenses which their client will incur if this cause is fully litigated through trial. That estimate is also to contain a separate estimate of those fees and expenses reasonably expected to be incurred

imposition of sanctions in accordance with Fed. R. Civ. P. 16(f). At the conference, it is anticipated that the court will approve or modify the Report of Parties' Planning Meeting, and set a trial date;

2. Consideration of the various forms of Alternative Dispute Resolution ("ADR") including mediation.³ If mediation is selected, the parties shall identify the mediator in the Report of the Parties Planning Meeting and in the event counsel cannot agree on a mediator then the court will make the selection. Counsel may review the list of mediators located on the Court's website under *Info/Forms*, prior to the preliminary pretrial conference.

Enter: _____

S/ROGER B. COSBEY
United States Magistrate Judge

through an early successful mediation (i.e., a mediation occurring within sixty days of the Preliminary Pretrial Conference). Counsel shall then certify their compliance with this directive by filing the certification, which is located on the Court's website, prior to the date of the preliminary pretrial conference.

³ The attention of counsel is specifically directed to the Court's ADR Pamphlet (1/96) located on the Court's website. Counsel are to have their respective clients read the pamphlet prior to the Preliminary Pretrial Conference and the clients, or clients' representative appearing at the Preliminary Pretrial Conference are to certify they have done so. The certification, which is located on the Court's website, is to be filed prior to the Preliminary Pretrial Conference.